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## TRAVEL AND SUBSISTENCE PROVISIONS

FOR

**TEAMSTER**

IN

SAN DIEGO COUNTY

6/16/97 – 6/15/01

MASTER LABOR AGREEMENT

BETWEEN

THE ASSOCIATED GENERAL CONTRACTORS

OF AMERICA

SAN DIEGO CHAPTER, INC.

AND



BUILDING MATERIAL, CONSTRUCTION, INDUSTRIAL,  
PROFESSIONAL AND TECHNICAL  
TEAMSTERS UNION — LOCAL #36

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FOUR (4) HOURS ARE WORKED IN ANY ONE (1) DAY, HE SHALL RECEIVE SIX (6) HOURS PAY, AND IF MORE THAN SIX (6) HOURS ARE WORKED IN ANY ONE DAY HE SHALL RECEIVE EIGHT (8) HOURS PAY.

- F. ON OVERTIME DAYS, WHENEVER EMPLOYEES WORK MORE THAN FOUR (4) HOURS, THEY SHALL BE PAID ONLY FOR ACTUAL HOURS WORKED AT THE OVERTIME RATE.
- G. EMPLOYEES SHALL TRAVEL TO AND FROM WORK ON THEIR OWN TIME AND BY MEANS OF THEIR OWN TRANSPORTATION. NO EMPLOYEE SHALL BE REQUIRED TO FURNISH TO THE EMPLOYER TRANSPORTATION OF THE EMPLOYER'S TOOLS, MATERIALS, OR EQUIPMENT OF ANY KIND.

#### SECTION 22 – HOLIDAYS

THE FOLLOWING DAYS ARE RECOGNIZED AS HOLIDAYS:

NEW YEAR'S DAY  
PRESIDENTS' DAY  
MEMORIAL DAY  
INDEPENDENCE DAY  
LABOR DAY  
VETERANS' DAY (NOVEMBER 11)  
THANKSGIVING DAY  
DAY AFTER THANKSGIVING DAY  
CHRISTMAS DAY.

IF ANY OF THE ABOVE HOLIDAYS SHOULD FALL ON SUNDAY, THE MONDAY FOLLOWING SHALL BE CONSIDERED A LEGAL HOLIDAY. WORK ON SUCH DAYS SHALL BE PAID AT THE DOUBLE TIME RATE. NO WORK SHALL BE REQUIRED ON LABOR DAY EXCEPT IN CASES OF EXTREME EMERGENCY WHEN LIFE OR PROPERTY IS IN IMMINENT DANGER.

#### SECTION 23 – PARKING

IN THE EVENT FREE PARKING FACILITIES ARE NOT AVAILABLE WITHIN THREE HUNDRED AND FIFTY (350) YARDS OF A JOBSITE, THE EMPLOYER WILL PROVIDE SUCH FACILITIES AND SHALL HAVE THE RIGHT TO DESIGNATE PARKING AREAS TO BE USED. WHERE, BECAUSE OF CONGESTED PARKING CONDITIONS IT IS NECESSARY TO USE PUBLIC FACILITIES, THE EMPLOYER SHALL REIMBURSE THE EMPLOYEE FOR THE COST OF SUCH PARKING UPON BEING PRESENTED WITH A RECEIPT OR VOUCHER CERTIFYING TO THE COST THEREOF, SUCH REIMBURSEMENT TO BE MADE ON A WEEKLY BASIS OR AT THE CONCLUSION OF THE PROJECT,

WHICHEVER OCCURS EARLIER. DESIGNATED PARKING AREAS SHALL BE REASONABLY LEVEL AND GRADED TO DRAIN.

#### SECTION 24 – TRANSPORTATION

EMPLOYEES SHALL TRAVEL TO AND FROM WORK ON THEIR OWN TIME AND BY MEANS OF THEIR OWN TRANSPORTATION. THE EMPLOYER SHALL NOT REQUIRE, DIRECTLY OR INDIRECTLY, AN EMPLOYEE COVERED BY THE TERMS OF THIS AGREEMENT TO FURNISH A PICKUP OR OTHER CONVEYANCE TO TRANSPORT THE EMPLOYER'S TOOLS, MATERIALS OR EQUIPMENT OF ANY KIND.

#### SECTION 25 – SUBCONTRACTORS

- A. THE PARTIES RECOGNIZE THE DESIRE AND THE NEED OF EMPLOYEES WHO HAVE BEEN LONG TIME MEMBERS OF ORGANIZED LABOR TO TOIL ALONGSIDE EMPLOYEES WITH SIMILAR PRINCIPLES AND GOALS. THEY FURTHER RECOGNIZE THAT SUCH EMPLOYEES ARE PERSONS WHO HAVE UNDERTAKEN ECONOMIC ACTION OR HAVE GIVEN MORAL AND FINANCIAL SUPPORT TO OTHERS WHO HAVE TAKEN SUCH ACTION, AND THEREBY SUFFERED FINANCIAL DEPRIVATIONS FOR THE COMMON GOOD, FOR THE PURPOSE OF RAISING TO THE CURRENT LEVEL THE STANDARDS OF ALL EMPLOYEES IN THE CONSTRUCTION INDUSTRY. ADDITIONALLY, THE PARTIES RECOGNIZE THAT EMPLOYEES WHO HAVE THIS COMMON BOND WISH TO BE ASSURED THAT JOB SITES UPON WHICH THEY ARE EMPLOYED OR WILL BE EMPLOYED ARE STAFFED WITH EMPLOYEES WHO HAVE NOT ACTED IN A MANNER TO UNDERMINE THE ECONOMIC BATTLE OF WAGES, HOURS, AND OTHER CONDITIONS OF EMPLOYMENT.
- B. IN CONSIDERATION OF THE FOREGOING, THE FOLLOWING PROVISIONS SHALL BE ADHERED TO RESPECTING SUBCONTRACTORS:

A SUBCONTRACTOR, FOR THE PURPOSE OF THIS AGREEMENT, IS DEFINED AS ANY PERSON, FIRM, CORPORATION, OR OTHER ENTITY HOLDING A VALID STATE CONTRACTOR'S LICENSE WHEN REQUIRED BY LAW, TO PERFORM WORK COVERED BY THIS AGREEMENT AND WHO EMPLOYS WORKMEN AS EMPLOYEES TO PERFORM SERVICES COVERED BY THIS AGREEMENT, INCLUDING THE PERFORMANCE OF LABOR AND/OR FURNISHING AND/OR INSTALLING MATERIAL, OR THE OPERATION OF EQUIPMENT. ALL EMPLOYEES OF SUBCONTRACTORS WILL PERFORM WORK AT THE APPROPRIATE HOURLY RATE AND WILL BE REPORTED TO SUCH TRUST FUNDS AS REQUIRED BY THE COLLECTIVE BARGAINING AGREEMENT. FAILURE OF A SUBCONTRACTOR TO OBTAIN OR MAINTAIN A VALID STATE CONTRACTOR'S LICENSE REQUIRED BY LAW SHALL NOT EXCUSE

E. TEAMSTER-ENGINEER SHIFT WORK:

TEAMSTER EMPLOYEES WORKING ON A PHASE OF A PROJECT WITH OPERATING ENGINEERS WILL WORK THE SAME SHIFT ARRANGEMENT, EXCEPT AS PROVIDED FOR IN SECTION 20 HEREOF WHERE THE CONTRACTOR SCHEDULES A SATURDAY MAKE-UP DAY AND/OR A FOUR (4) DAY TEN (10) HOUR PER DAY SHIFT ARRANGEMENT.

F. TOOLS AND TOOL SECURITY:

1. WRENCHES OVER TWO (2) INCHES AND SOCKET WRENCHES MORE THAN THREE-QUARTER (3/4) INCH DRIVE, AND ALL TORQUE WRENCHES, SHALL BE FURNISHED BY THE EMPLOYER.
2. THE INDIVIDUAL EMPLOYER SHALL PROVIDE AT EACH YARD OR JOBSITE, A SECURE PLACE WHERE HIS TEAMSTER MECHANIC AND/OR HELPER MAY KEEP HIS TOOLS. IF ALL OR ANY PART OF A TEAMSTER MECHANIC AND/OR HELPER'S KIT OR WORKING TOOLS IS LOST BY REASONS OF THE FAILURE OF THE INDIVIDUAL EMPLOYER TO PROVIDE SUCH A SECURE PLACE, OR BY FIRE, FLOOD, OR THEFT INVOLVING FORCIBLE ENTRY WHILE IN THE SECURE PLACE DESIGNATED BY THE INDIVIDUAL EMPLOYER, THE INDIVIDUAL EMPLOYER SHALL REIMBURSE SUCH TEAMSTER MECHANIC AND/OR HELPER FOR ANY SUCH LOSS, SUBJECT TO A MINIMUM LOSS OF \$50.00 AND A MAXIMUM LOSS OF \$5,000.00. IN ORDER TO OBTAIN THE BENEFITS OF THIS PARAGRAPH, A TEAMSTER MECHANIC AND/OR HELPER MAY BE REQUIRED TO PROVIDE THE INDIVIDUAL EMPLOYER WITH THE INVENTORY OF HIS TOOLS AT THE TIME HE COMMENCES WORK AND AN ADDITIONAL INVENTORY EVERY THREE (3) MONTHS.

G. MOVEMENT OF EQUIPMENT:

WHEN EQUIPMENT IS MOVED FROM ONE CONSTRUCTION JOB TO ANOTHER, OR FROM YARD TO JOBSITE, OR VICE VERSA, BY AN EMPLOYEE COVERED BY THIS AGREEMENT, SUCH TRANSPORTATION SHALL BE UNDER THE WAGE SCALE AND CONDITIONS OF THIS AGREEMENT. IN ADDITION, THE DRIVER TRANSPORTING SUCH EQUIPMENT WILL BE PAID REASONABLE EXPENSES INCURRED ON SUCH TRIP AND WILL BE GIVEN RETURN TRANSPORTATION OR A REASONABLE ALLOWANCE, THEREFOR, FROM THE POINT OF DELIVERY OF THE EQUIPMENT DIRECT TO HIS STARTING PLACE, AND PAY THEREFOR AT THE REGULAR STRAIGHT TIME HOURLY WAGE RATE FOR THE ACTUAL HOURS SPENT IN TRAVELING; PROVIDED, THAT HE SHALL NOT BE PAID MORE THAN EIGHT (8) HOURS STRAIGHT TIME PAY AT HIS REGULAR WAGE RATE.